



modified (orally or through course of dealing) as well as any other affirmative defense to enforcement of the contract that it has evidence to support.

**IT IS SO ORDERED.**

**SIGNED** this 24th day of January, 2007.

  
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KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL  
FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY  
EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT